

# Daily Digest

## Senate

### Chamber Action

**Routine Proceedings, pages S2851–S2894**

**Measures Introduced:** Fifteen bills and two resolutions were introduced, as follows: S. 943–957, and S. Res. 179–180. **Pages S2874–75**

**Measures Passed:**

**Minority Party's Committee Membership:** Senate agreed to S. Res. 179, to constitute the minority party's membership on certain committees for the One Hundred Twelfth Congress, or until their successors are chosen. **Page S2892**

**Appointments:**

**Board of Visitors of the U.S. Air Force Academy:** The Chair, on behalf of the Vice President, Pursuant to 10 U.S.C. 9355(a), appointed the following Senators to the Board of Visitors of the U.S. Air Force Academy:

Senator Hoeven (Committee on Appropriations) and

Senator Graham (At Large) **Page S2892**

**Urbanski Nomination—Agreement:** A unanimous-consent time agreement was reached providing that at 1 p.m., on Thursday, May 12, 2011, Senate begin consideration of the nomination of Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia; that there be one hour for debate, equally divided in the usual form; that upon the use or yielding back of time, Senate vote without intervening action or debate on confirmation of the nomination; that no further motions be in order to the nomination. **Page S2891**

**Nomination Confirmed:** Senate confirmed the following nomination:

By a unanimous vote of 96 yeas (Vote No. EX. 69), Arenda L. Wright Allen, of Virginia, to be United States District Judge for the Eastern District of Virginia. **Pages S2864–71, S2894**

**Nominations Received:** Senate received the following nominations:

Richard G. Andrews, of Delaware, to be United States District Judge for the District of Delaware.

Cathy Ann Bencivengo, of California, to be United States District Judge for the Southern District of California.

Jeffrey J. Helmick, of Ohio, to be United States District Judge for the Northern District of Ohio.

William J. Burns, of Maryland, to be Deputy Secretary of State.

1 Air Force nomination in the rank of general.

8 Coast Guard nominations in the rank of admiral.

26 Navy nominations in the rank of admiral.

Routine lists in the Navy and Public Health Service. **Pages S2892–94**

**Messages from the House:** **Page S2871**

**Measures Referred:** **Page S2872**

**Measures Placed on the Calendar:** **Pages S2851, S2872**

**Measures Read the First Time:** **Pages S2872, S2892**

**Executive Communications:** **Pages S2872–74**

**Additional Cosponsors:** **Pages S2875–76**

**Statements on Introduced Bills/Resolutions:** **Pages S2876–91**

**Additional Statements:** **Page S2871**

**Authorities for Committees to Meet:** **Page S2891**

**Record Votes:** One record vote was taken today. (Total—69) **Page S2871**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 3:34 p.m., until 9:30 a.m. on Thursday, May 12, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2892.)

### Committee Meetings

(Committees not listed did not meet)

#### APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH

**Committee on Appropriations:** Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal

year 2012 for the National Institutes of Health, after receiving testimony from Francis S. Collins, Director, Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, Griffin P. Rodgers, Director, National Institute of Diabetes and Digestive and Kidney Diseases, Harold Varmus, Director, National Cancer Institute, and Susan B. Shurin, Acting Director, National Heart, Lung, and Blood Institute, all of the National Institutes of Health, Department of Health and Human Services.

#### **APPROPRIATIONS: GUARD AND RESERVE**

*Committee on Appropriations:* Subcommittee on Department of Defense concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Guard and Reserve, after receiving testimony from General Craig R. McKinley, U.S. Air Force, Chief, National Guard Bureau, Major General Raymond W. Carpenter, U.S. Army, Acting Director, Army National Guard, Lieutenant General Harry M. Wyatt III, U.S. Air Force, Director, Air National Guard, Lieutenant General Jack Stultz, Chief, U.S. Army Reserve, Vice Admiral Dirk Debbink, U.S. Navy, Chief, Navy Reserve, Major General Darrell L. Moore, U.S. Marine Corps, Director, Reserve Affairs, and Lieutenant General Charles E. Stenner, Jr., U.S. Air Force, Chief, Air Force Reserve, all of the Department of Defense.

#### **DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM**

*Committee on Armed Services:* Subcommittee on Personnel concluded a hearing to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Thomas R. Lamont, Assistant Secretary of the Army for Manpower and Reserve Affairs, Lieutenant General Thomas P. Bostick, USA, Deputy Chief of Staff, G1, Juan M. Garcia, Assistant Secretary of the Navy for Manpower and Reserve Affairs, Vice Admiral Mark E. Ferguson III, USN, Chief of Naval Personnel, Lieutenant General Robert E. Milstead, Jr., USMC, Deputy Commandant for Manpower and Reserve Affairs, Daniel B. Ginsberg, Assistant Secretary of the Air Force for Manpower and Reserve Affairs, and Lieutenant General Darrell D. Jones, USAF, Deputy Chief of Staff, Manpower, Personnel and Services, all of the Department of Defense.

#### **DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM**

*Committee on Armed Services:* Subcommittee on Strategic Forces concluded a hearing to examine military space programs in review of the Defense Authorization Request for fiscal year 2012 and the Future

Years Defense Program, after receiving testimony from Gregory L. Schulte, Deputy Assistant Secretary for Space Policy, Rear Admiral David W. Titley, Director, Oceanography, Space and Maritime Domain, Awareness Division, OPNAV N2/N6 (Information Dominance), John A. Zangardi, Deputy Assistant Secretary of the Navy for Command, Control, Communications, Computers, Intelligence, Information and Space, General William L. Shelton, Commander, Air Force Space Command, Lieutenant General Susan J. Helms, Commander, Joint Functional Component Command for Space, Lieutenant General Richard P. Formica, USA, Commanding General, United States Army Space and Missile Defense Command and Army Forces Strategic Command, and Major General John E. Hyten, Director, Space Programs, Assistant Secretary of the Air Force for Acquisition, all of the Department of Defense; and Christina T. Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office.

#### **MANUFACTURING A STRONGER ECONOMY**

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine manufacturing our way to a stronger economy, after receiving testimony from Leo W. Gerard, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW), Pittsburgh, Pennsylvania, on behalf of the United Steelworkers; Stephanie A. Burns, Dow Corning Corporation, Midland, Michigan; and Mike Rowe, Discovery Communications, Inc., Silver Spring, Maryland.

#### **NATIONAL PARKS BILLS**

*Committee on Energy and Natural Resources:* Subcommittee on National Parks concluded a hearing to examine S. 114, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, S. 127, to establish the Buffalo Bayou National Heritage Area in the State of Texas, S. 140, to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, S. 161, to establish Pinnacles National Park in the State of California as a unit of the National Park System, S. 177, to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California, S. 247, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, S. 279, to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of

establishing Camp Hale as a unit of the National Park System, S. 302, to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in nonwilderness areas within the boundary of Denali National Park, S. 313, to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc, S. 323, to establish the First State National Historical Park in the State of Delaware, S. 403, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, S. 404, to modify a land grant patent issued by the Secretary of the Interior, S. 508, to establish the Chimney Rock National Monument in the State of Colorado, S. 535, to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, S. 564, to designate the Valles Caldera National Preserve as a unit of the National Park System, S. 599, to establish a commission to commemorate the sesquicentennial of the American Civil War, S. 713, to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, S. 765, to modify the boundary of the Oregon Caves National Monument, S. 779, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, S. 849, to establish the Waco Mammoth National Monument in the State of Texas, and S. 858, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System, after receiving testimony from Senator Carper; Stephen E. Whitesell, Associate Director, Park Planning, Facilities, and Lands, National Park Service, Department of the Interior; Joel Holtrop, Deputy Chief, National Forest Systems, Forest Service, Department of Agriculture; and Raymond Loretto, Valles Caldera Trust, Jemez Springs, New Mexico.

#### UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT

*Committee on Finance:* Committee concluded a hearing to examine the United States-Colombia Trade Promotion Agreement, after receiving testimony from Miriam Sapiro, Deputy United States Trade Representative; Sandra Polaski, Deputy Under Secretary of Labor for International Affairs; General James T. Hill, USA (Ret.), former Combatant Commander, United States Southern Command, Department of

Defense, Coral Gables, Florida; Jeffrey S. Vogt, American Federation of Labor and Congress of Industrial Organizations, Washington, D.C.; and Gordon Stoner, Montana Grain Growers Association, Outlook, Montana.

#### HUMAN RIGHTS AND DEMOCRATIC REFORM IN IRAN

*Committee on Foreign Relations:* Subcommittee on Near Eastern and South and Central Asian Affairs concluded a hearing to examine human rights and democratic reform in Iran, after receiving testimony from Michael Posner, Assistant Secretary for Democracy, Human Rights, and Labor, and Philo Dibble, Deputy Assistant Secretary for Iran, and Near Eastern Affairs, both of the Department of State; Kambiz Hosseini, Voice of America Persian, and Andrew Apostolou, Freedom House, both of Washington, D.C.; and Rudi Bakhtiar, International Campaign for Human Rights in Iran, New York, New York.

#### BUSINESS MEETING

*Committee on Homeland Security and Governmental Affairs:* Committee ordered favorably reported the following business items:

S. Res. 174, expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union;

H.R. 793, to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the "Specialist Jake Robert Velloza Post Office";

S. 349, to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office"; and

S. 655, to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

#### DIVERTING NON-URGENT EMERGENCY ROOM USE

*Committee on Health, Education, Labor, and Pensions:* Subcommittee on Primary Health and Aging concluded a hearing to examine diverting non-urgent emergency room use, focusing on if it can provide better care and lower costs, and health center strategies that may help reduce their use, after receiving testimony from Jim Macrae, Associate Administrator, Bureau of Primary Health Care, Health Resources and Services Administration, Department of

Health and Human Services; Debra A. Draper, Director, Health Care, Government Accountability Office; Peter Cunningham, Center for Studying Health System Change (HSC), Washington, D.C.; Alieta Eck, Zarephath Health Center, Zarephath, New Jersey; and Dana Kraus, St. Johnsbury Family Health Center, St. Johnsbury, Vermont.

#### AT&T/T-MOBILE MERGER

*Committee on the Judiciary:* Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine the AT&T/T-Mobile merger, after receiving testimony from Randall Stephenson, AT&T Inc., Dallas, Texas; Philipp Humm, T-Mobile USA, Inc., Bellevue, Washington; Daniel R. Hesse, Sprint Nextel Corporation, Overland Park, Kansas; Victor H. Meena, Cellular South, Inc., Ridgeland, Mississippi; and Gigi B. Sohn, Public

Knowledge, and Larry Cohen, Communications Workers of America, both of Washington, D.C.

#### BUSINESS MEETING

*Committee on Rules and Administration:* Committee ordered favorably reported the following business items:

S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent;

S. 739, to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government; and

The nomination of William J. Boorman, of Maryland, to be Public Printer, Government Printing Office.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 32 public bills, H.R. 1825–1856; 1 private bill, H.R. 1857; and 7 resolutions, H.J. Res. 58–61; and H. Res. 263, 265–266 were introduced. **Pages H3217–20**

**Additional Cosponsors:** **Pages H3220–21**

**Report Filed:** A report was filed today as follows:

H. Res. 264, providing for consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (H. Rept. 112–75). **Page H3217**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Ellmers to act as Speaker pro tempore for today. **Page H3163**

**Recess:** The House recessed at 10:45 a.m. and reconvened at 12 noon. **Page H3168**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Wallace Shepherd, Second Baptist Church, Santa Barbara, California. **Page H3168**

**Report Filing:** Agreed by unanimous consent that the Committee on Armed Services have until 5 p.m. on Tuesday, May 17, 2011 to file its report to accompany H.R. 1540. **Page H3171**

**Putting the Gulf of Mexico Back to Work Act:** The House passed H.R. 1229, to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, by a recorded vote of 263 ayes to 163 noes, Roll No. 309. Consideration of the measure began yesterday, May 10th. **Pages H3180–86**

Rejected the Connolly motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 186 ayes to 239 noes, Roll No. 308. **Pages H3185–86**

Rejected:

Hanabusa amendment (No. 4 printed in part A of H. Rept. 112–73) that was debated on May 10th that sought to state that the Secretary shall not issue an offshore drilling permit without certifying that the applicant has calculated a worst-case discharge scenario for the proposed drilling operations; and has demonstrated to the satisfaction of the Secretary that the applicant possesses the capability and technology to respond immediately and effectively to such worst-case discharge scenario (by a recorded vote of 187 ayes to 235 noes, Roll No. 302); **Page H3180**

Holt amendment (No. 6 printed in part A of H. Rept. 112–73) that was debated on May 10th that sought to strike a provision in the underlying bill that would “deem” drilling permits approved after